

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS (Chicago)

In re the matter of:

ALEXIA JOHNSON
Debtor.

CASE NO. 18-13103
CHAPTER 13

JUDGE JACK B. SCHMETTERER

NOTICE OF MOTION AND CERTIFICATE OF SERVICE

TO:

Alexia Johnson
6751 S. Merrill Ave.
Apt. 1
Chicago, IL 60649
Via Regular Mail

Tom Vaughn
55 E. Monroe Street, Suite 3850
Chicago, IL 60603
Via Electronic Mail

David M Siegel
David M. Siegel & Associates
790 Chaddick Drive
Wheeling, IL 60090
Via electronic notice

Patrick S. Layng
219 S. Dearborn Street, Suite 873
Chicago, IL 60604
Via Electronic & Mail

On March 20, 2019, at 10:00 a.m., I shall appear before the Honorable Judge JACK B. SCHMETTERER in the Dirksen Federal Courthouse, Courtroom numbered 682, 219 S. Dearborn Street, Chicago, IL 60604, or in his/her absence, before such other Bankruptcy Judge as may be presiding in his/her place and stead and shall then and there present the attached Motion to Modify Stay at which time and place you may appear if you so see fit.

GATEWAY FINANCIAL SOLUTIONS

By: /s/Amy A. Aronson
Amy A. Aronson
GATEWAY FINANCIAL SOLUTIONS

Amy A. Aronson
ARONSON & WALSH, P.C.
P.O. Box 5907
Vernon Hills, IL 60061
847.247.1810 / Attorneys for GATEWAY FINANCIAL SOLUTIONS

CERTIFICATE OF SERVICE

I, the undersigned attorney, certify that I served a copy of this Notice with Motion to Modify the Automatic Stay attached, upon the parties listed above, by mailing same in a properly addressed envelope, postage prepaid, from the Vernon Hills Post Office, Lakeview Parkway, Vernon Hills, Illinois 60061, before the hour of 5:00 p.m. on the 8th day of MAY, 2019, or via electronic notice as indicated above.

By: /s/Amy A. Aronson
GATEWAY FINANCIAL SOLUTIONS

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MOTION TO MODIFY AUTOMATIC STAY

Now Comes GATEWAY FINANCIAL SOLUTIONS, a creditor herein, Amy A. Aronson, Aronson & Walsh, P.C., its attorneys, and moves this Honorable Court for entry of an Order modifying the restraining provisions of § 362 of the Bankruptcy Code, and in support thereof respectfully represents as follows:

1. That on May 4, 2018, the Debtor herein filed a petition for relief under Chapter 13 of the Bankruptcy Code. The plan has not been confirmed. Confirmation is set for August 8, 2018. This is the fifth chapter 13 case filed by this debtor. All prior chapter 13 cases were dismissed.

2. That GATEWAY FINANCIAL SOLUTIONS is a creditor of the Debtor, with respect to a certain 2008 CADILLAC SRX, V.I.N. 1GYEE437580203026, and holds a security interest pursuant to a certain Retail Installment Contract entered into by the Debtor on April 18, 2018. A copy of said agreement is attached along with the title and incorporated in the proof of claim filed in this matter. THE FIRST PAYMENT CAME DUE AFTER THE FILING OF THIS CASE.

3. Debtor has defaulted on her obligations to GATEWAY FINANCIAL SOLUTIONS in that he has failed to make the payments required under the terms of the Agreement. Debtor owes GATEWAY FINANCIAL SOLUTIONS the sum of \$13,810.29, principal, plus interest and attorneys' fees. The account is past due \$3,646.64 representing 7 months.

4. That the Debtor has not offered, and GATEWAY FINANCIAL SOLUTIONS is not receiving, adequate protection for its secured interest. The debtor's plan provides for direct payment, but payments are in significant default.

5. That GATEWAY FINANCIAL SOLUTIONS will suffer irreparable injury, harm and damage should it be delayed in foreclosing its security interest.

6. The property is not necessary for the effective reorganization of the Debtor.

7. That no cause exists to stay the execution of this order.

WHEREFORE, GATEWAY FINANCIAL SOLUTIONS prays that this Honorable Court enter an Order modifying the restraining provisions of § 362 of the Bankruptcy Code to permit the said GATEWAY FINANCIAL SOLUTIONS or its assigns to take possession and foreclose its security interest in the 2008 CADILLAC SRX, V.I.N. 1GYEE437580203026; that Bankruptcy Rule 4001(a)(3) is waived and not applicable, and for such other and further relief as this court deems just and proper.

GATEWAY FINANCIAL SOLUTIONS

By: /s/Amy A. Aronson
Amy A. Aronson, One of its Attorneys

Amy A. Aronson
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